



Arlington Zoning Board of Appeals

Date: Tuesday, September 13, 2022
Time: 7:30 PM
Location: Conducted by remote participation
Additional Details:

Agenda Items

Administrative Items

1. **Remote Participation Details**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

You are invited to a Zoom meeting.
When: Sep 13, 2022 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:
<https://town-arlington-ma-us.zoom.us/meeting/register/tZ0oc-irqjwH9DS7iCeoNq-ANUT9w62meNd>

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID 895 4134 7754

Dial by your location
+1 312 626 6799 US (Chicago)
+1 646 876 9923 US (New York)
+1 646 931 3860 US
+1 301 715 8592 US (Washington DC)

2. **Members Vote: Approval of Meeting Minutes from August 30, 2022**
3. **Members Vote: Approval of Decision for 24 Grandview Road**

4. **Members Vote: Approval of Decision for 49 Valentine Road**
5. **Members Vote: Approval of Decision for 33-35 Varnum Street**
6. **Members Vote: Approval of Decision for 101 Robbins Road**

Hearings

7. **Docket # 3713: 82 Winter Street**
8. **Docket # 3714: 956 Massachusetts Avenue**

Meeting Adjourn



Town of Arlington, Massachusetts

Remote Participation Details

Summary:

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

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+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)



Town of Arlington, Massachusetts

Docket # 3713: 82 Winter Street

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	ZBA_Package_82_Winter_Street.pdf	ZBA Package 82 Winter Street
▢ Reference Material	82_Winter.pdf	Color pic
▢ Memorandum	3713_82_Winter_St.pdf	DPCD Memo for #3713, 82 Winter St
▢ Reference Material	Jim_Boyle_9-8-22_A_Elev-Model.pdf	Jim Boyle 9-8-22 A Elev-Model
▢ Reference Material	Jim_Boyle_9-8-22_B_Elev-Model.pdf	Jim Boyle 9-8-22 B Elev-Model
▢ Reference Material	Jim_Boyle_9-8-22_TOP_Elev-Model.pdf	Jim Boyle 9-8-22 TOP Elev-Model



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

TOWN CLERK'S OFFICE
ARLINGTON, MA 02170
2022 AUG -8 AM 8:47

RECEIVED

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **James Boyle** of Arlington, Massachusetts on August 1, 2022, a petition seeking permission to alter his property located at **82 Winter Street - Block Plan 027.0-0003-0006.0** Said petition would require a Special Permit under **Section 5.9.2 Accessory Dwelling Units** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening September 13, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9)

[upqDlrH9BzpU_mQMF2y5Ys20gtlBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9) **for documentation relating to this petition, visit the ZBA website 48 hours prior to the hearing at www.arlington.gov/zba.**

DOCKET NO 3713

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of James R Boyle, & Donna M Boyle of 80-82 Winter St.
to the Zoning Board of Appeals for the Town of Arlington: _____

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Special permit Section 3.3.4 Line A _____
A. Dimensional standards more restrictive than those set forth in Section 5 of this Bylaw;

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 80-82 Winter St. with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The accessory dwelling unit be allowed being that it is within six feet of the lot line.
The accessory dwelling unit is not substantially more detrimental to the neighborhood.
The unit is to used for the property owners to properly and safely age in place.

E-Mail: jrboy412@msn.com Signed: _____ Date: 06/10/2022
Telephone: 617.413.1554 Address: 82 Winter St.

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Section 5.9.2 Accessory Dwelling units

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

The request will help Arlington property owners age in place.

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

The accessory dwelling unit is only adding one unit for the current owners/occupants.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The addition of the unit is only adding one bathroom and kitchen to be used by 2 people.
This will not overload the systems currently in place

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

The accessory unit is within the dimensions that are in section 5.9.2 b. Requirements

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

This is an existing structure that will not increase in height or size.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The existing structure will not increase in size as not to be detrimental to the neighborhood.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 82 Winter St. Zoning District: R2

2. Present Use/Occupancy: Residential No. of dwelling units 2

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
4672 Sq. Ft.

4. Proposed Use/Occupancy: residential No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
306 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	4950		min.
7. Frontage (Ft.)	52		min.
8. Floor area ratio	306		max.
9. Lot Coverage (%)	35%		max
10. Lot Area per Dwelling Unit (Sq. Ft.)	1750		min.
11. Front Yard Depth (Ft.)	20'		min.
12. Left Side Yard Depth (Ft.)	10'		min.
13. Right Side Yard Depth (Ft.)	22'		min.
14. Rear Yard Depth (Ft.)	20'		min.
15. Height (Stories)	2		max.
16. Height (Ft.)	35		max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	20%		
17A. Landscaped Open Space (% of GFA)	20%		min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	20%		
18A. Usable Open Space (% of GFA)	20%		min.
19. Number of Parking Spaces	4		min.
20. Parking area setbacks (if applicable)	0		min.
21. Number of Loading Spaces (if applicable)	0		min.
22. Type of construction	block/wood		N/A
23. Slope of proposed roof(s) (in. per ft.)			min.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 82 Winter St. Zoning District: R2

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	<u>4950</u>	<u> </u>
Open Space, Usable	<u>20%</u>	<u> </u>
Open Space, Landscaped	<u>20%</u>	<u> </u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>306</u>	<u> </u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u> </u>	<u> </u>
1 st Floor	<u> </u>	<u> </u>
2 nd Floor	<u> </u>	<u> </u>
3 rd Floor	<u> </u>	<u> </u>
4 th Floor	<u> </u>	<u> </u>
5 th Floor	<u> </u>	<u> </u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u> </u>	<u> </u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u> </u>	<u> </u>
All weather habitable porches and balconies	<u> </u>	<u> </u>
Total Gross Floor Area (GFA)	<u>306</u>	<u> </u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u>20%</u>	<u> </u>
Landscaped Open Space (% of GFA)	<u>20%</u>	<u> </u>
Usable Open Space (Sq. Ft.)	<u>20%</u>	<u> </u>
Usable Open Space (% of GFA)	<u>20%</u>	<u> </u>

This worksheet applies to plans dated 07/28/1985 designed by Frederick r. joyce co.

Reviewed with Building Inspector: _____ Date: _____

- B. Where permitted or allowed by special permit in the use regulations, a physician may operate an office from the physician's residence with up to one nonresident employee.

5.9.2. Accessory Dwelling Units

- A. Purpose. The purpose of this Section 5.9.2 includes:

- (1) Promoting the use of accessory dwelling units as a means of providing Arlington property owners with an opportunity to age in place, to create independent living space for elderly, disabled or other family or household members, to downsize or to earn supplemental income from investing in their properties.
- (2) Helping Arlington residents to conserve and grow their own property values.
- (3) Encouraging housing for persons of all income levels and ages.
- (4) Encouraging an orderly expansion of the tax base without detracting from the existing character of the affected neighborhoods.

- B. Requirements

- (1) In any Residential District or Business District, an accessory dwelling unit is permitted as an accessory use to any single-family dwelling, two-family dwelling, or duplex dwelling, if all of the following conditions are met:
 - An accessory dwelling unit shall be not larger in floor area than one-half the floor area of the principal dwelling or 900 square feet, whichever is smaller. For the avoidance of doubt, where an accessory dwelling unit is created by converting a portion of an existing principal dwelling to an accessory dwelling unit, the floor area of the resulting accessory dwelling unit shall be measured relative to the floor area of the resulting principal dwelling (as affected by or in connection with the conversion).
 - Any alteration causing an expansion of or addition to a building in connection with an accessory dwelling unit shall be subject to the provisions of Section 5.4.2.B(6) if and to extent section 5.4.2.B(6) is otherwise applicable to such alteration or addition.
 - An accessory dwelling unit shall maintain a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling, sufficient to meet the requirements of the State Building Code for safe egress.
 - No more than one (1) accessory dwelling unit is allowed per principal dwelling unit.
 - An accessory dwelling unit may be located in (i) the same building as the principal dwelling unit or as an expansion to such building; (ii) a building that is attached to the principal dwelling unit; or (iii) an accessory building, which accessory building shall not constitute a principal or main building by the incorporation of the accessory dwelling unit, provided that if such accessory building is located within 6 feet of a lot line then such accessory dwelling unit shall be allowed only if the Board of Appeals, acting pursuant to Section 3.3, grants a special permit upon its finding that

the creation of such accessory dwelling unit is not substantially more detrimental to the neighborhood than the use of such accessory building as a private garage or other allowed use.

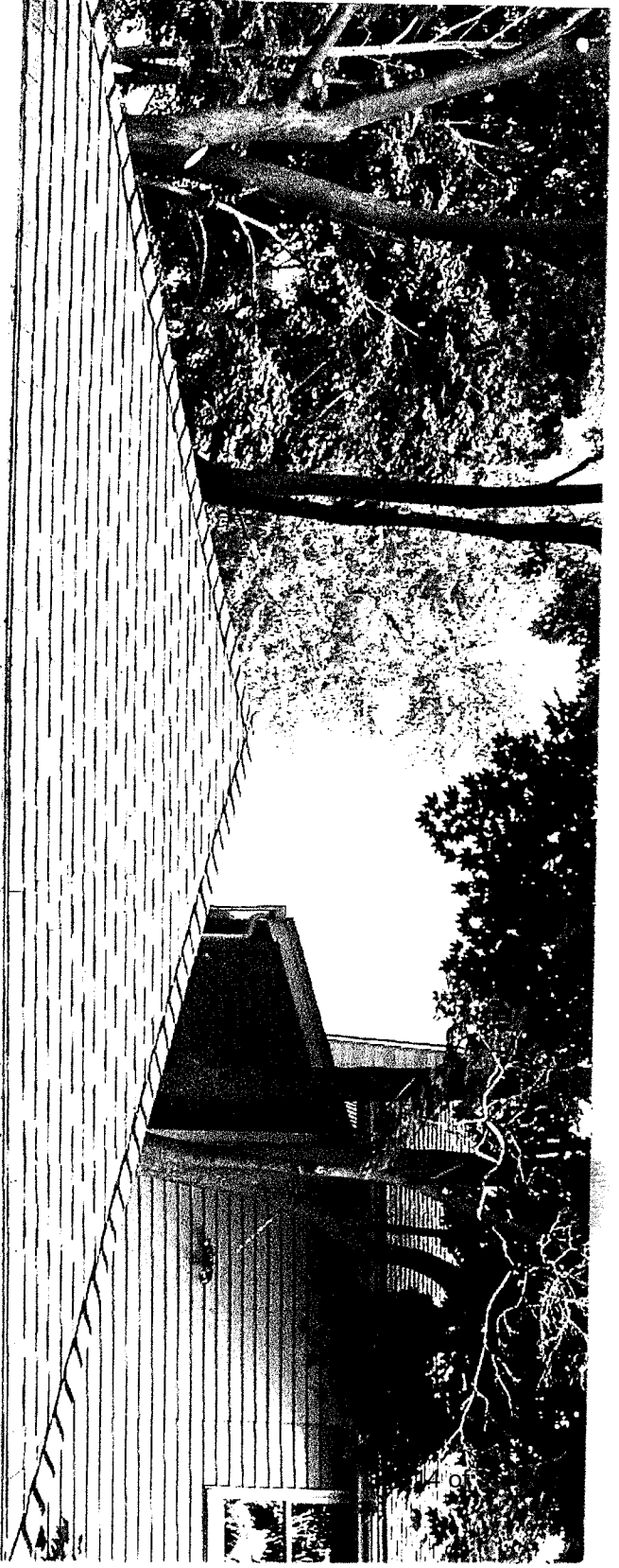
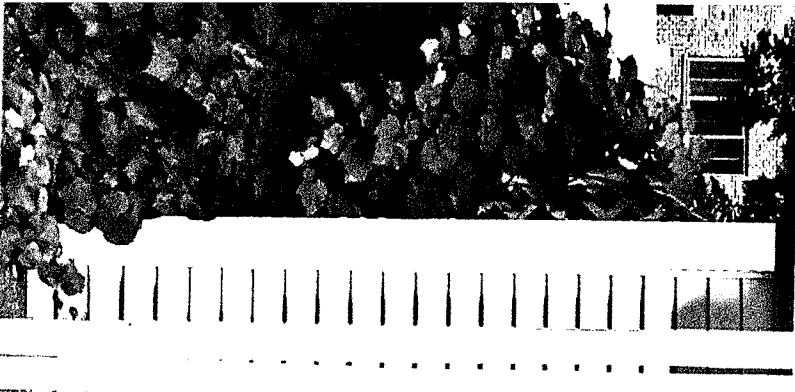
- An accessory dwelling unit shall not be used as a short-term rental, in accordance with Title V, Article 18, Section 3 of the By-Laws of the Town of Arlington.
- An accessory dwelling unit shall be subject to all applicable requirements of the State Building Code and State Fire Code (including any such requirements, if and as applicable, which prohibit openings, including windows, in exterior walls of dwellings located within a certain distance from the property line).

- (2) The creation or addition of an accessory dwelling unit shall not change the zoning classification of the property in question and shall not affect any zoning relief previously obtained for such property. By way of example only (and without limitation), a single-family dwelling having an accessory dwelling unit shall continue to be classified as a single-family dwelling for single-family use under the Zoning Bylaw; a two-family dwelling having an accessory dwelling unit shall continue to be classified as a two-family dwelling for two-family use under the Zoning Bylaw; and a duplex having an accessory dwelling unit shall continue to be classified as a duplex dwelling for duplex use under the Zoning Bylaw.
- (3) No off-street parking spaces are required in connection with the creation or addition of an accessory dwelling unit.
- (4) An accessory dwelling unit shall not be owned separately from the principal dwelling unit with which such accessory dwelling unit is associated.

C. Administration

- (1) Prior to the issuance of a building permit for an accessory dwelling unit, the owner must deliver an affidavit to the building inspector stating that the owner or a family member of the owner will reside in either the principal dwelling unit or the accessory dwelling unit upon completion of the accessory dwelling unit.
- (2) The creation or addition of an accessory dwelling unit to a principal dwelling unit shall not be subject to the foregoing paragraph 5.9.2.C(1) if the principal dwelling unit and accessory dwelling unit are owned by a non-profit or governmental entity and the accessory dwelling unit is restricted as an affordable unit.
- (3) This Section 5.9.2 shall be effective as of the date on which it is enacted at Town Meeting in accordance with applicable law, except for clause (iii) of Section 5.9.2.B.(1), fifth bullet, which clause (iii) shall be effective as of the date occurring six (6) months after the date on which this Section 5.9.2 is enacted at Town Meeting.
- (4) In the event of any conflict or inconsistency between the provisions of this Section 5.9.2 or Section 8.1.3.E, on the one hand, and any other provisions of

this Bylaw, the provisions of this Section 5.9.2 and Section 8.1.3.E shall govern and control.



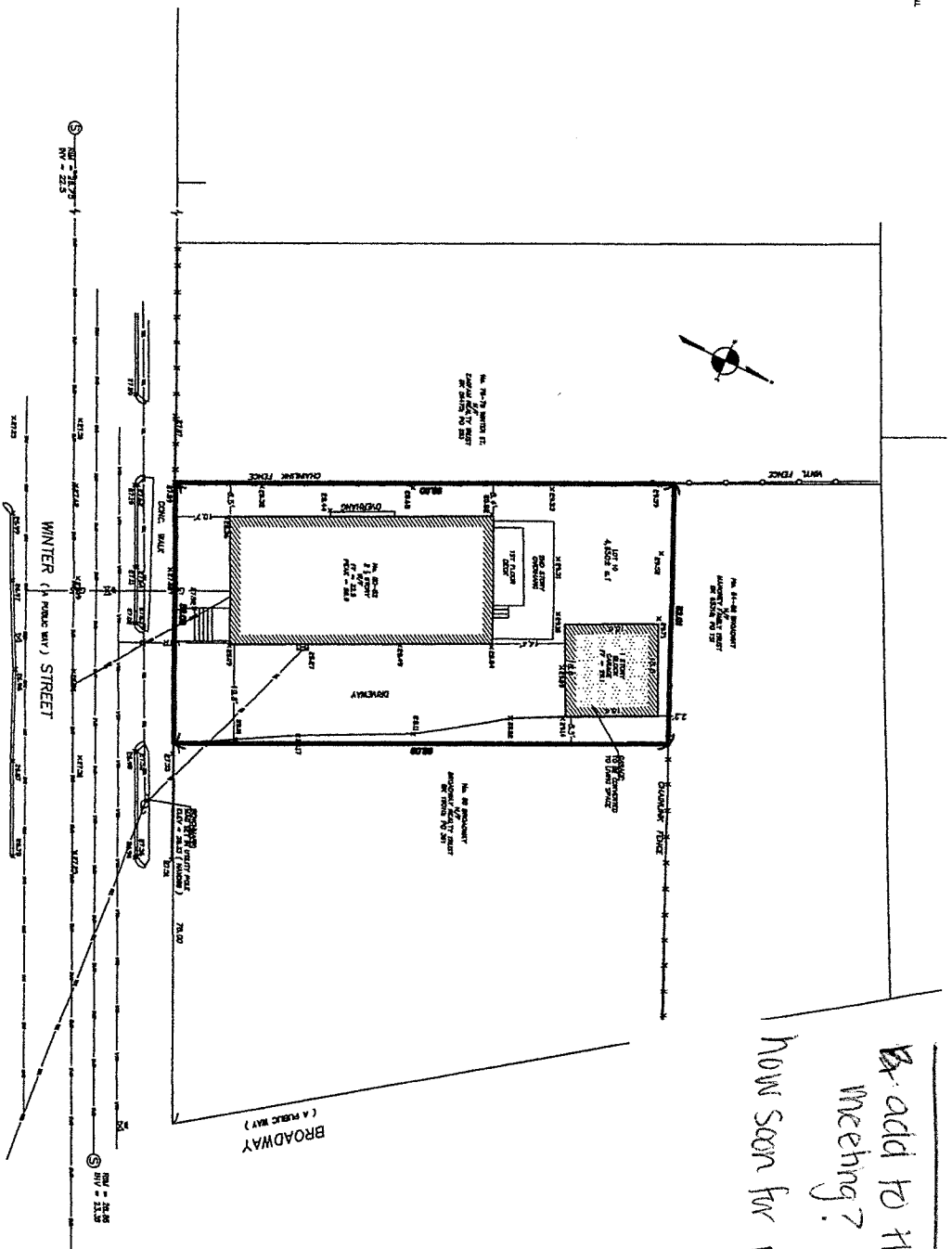
RECEIVED

JUL 25 2022

INSPECTIONAL

[illegible]

PERMANENT TAXES & CORP. BONE 82 WINTER ST. ALBANY, MA	DATE: BK 13-04 PG 519 PLUG BK 98 3517.41	NORTH: FACILITY ID: 027.0 0001 0006.0 ZCONE: RT DATE: HANDBA
----------------------------------------------------------------	---------------------------------------------	-----------------------------------------------------------------------



~~add~~ add to this weeks meeting?
how soon for permit.

Jimmy
Boyle
617-413-1554

15 of 35

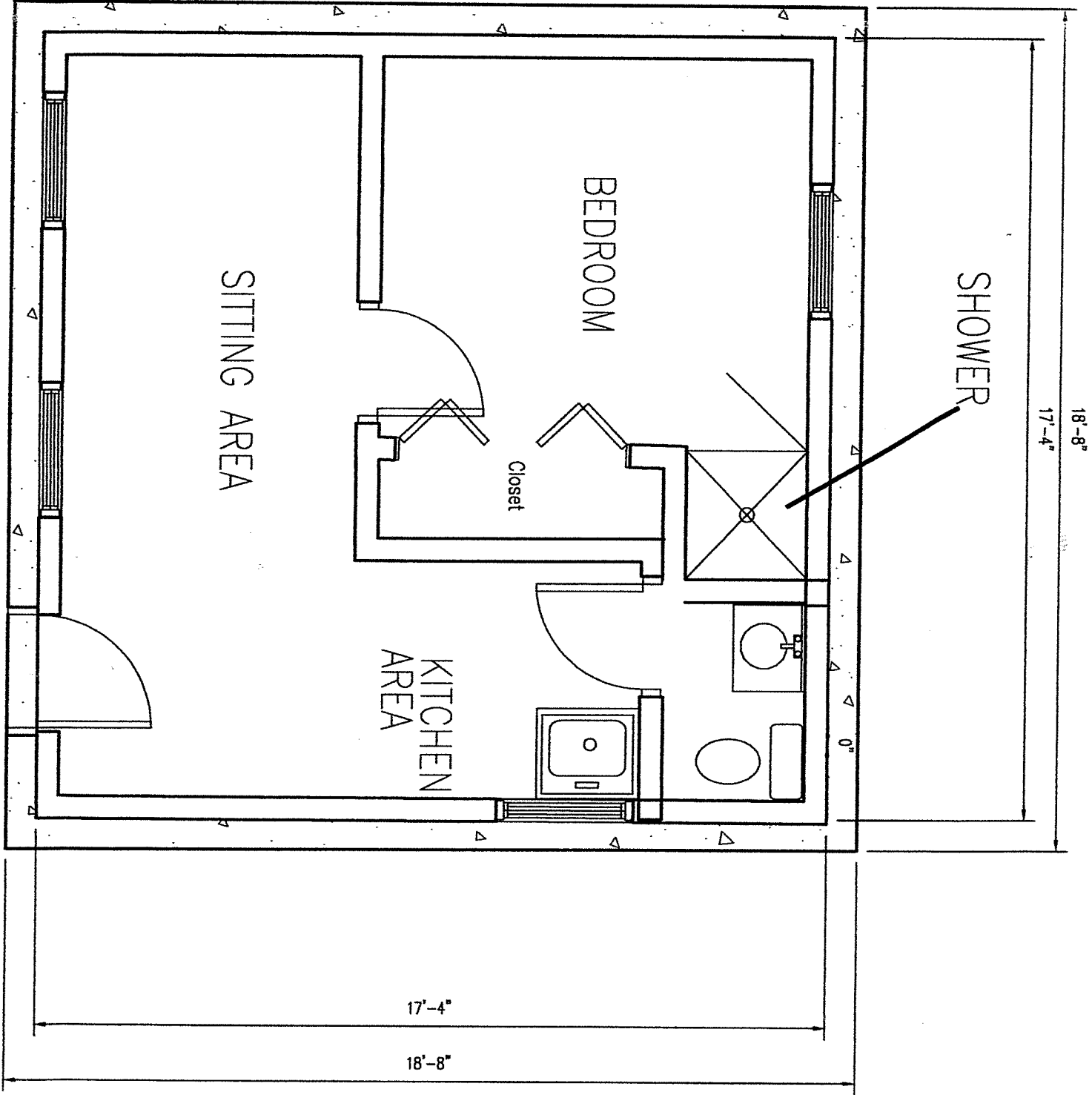
SITE PLAN OF LAND

LOCATED AT
82 WINTER STREET

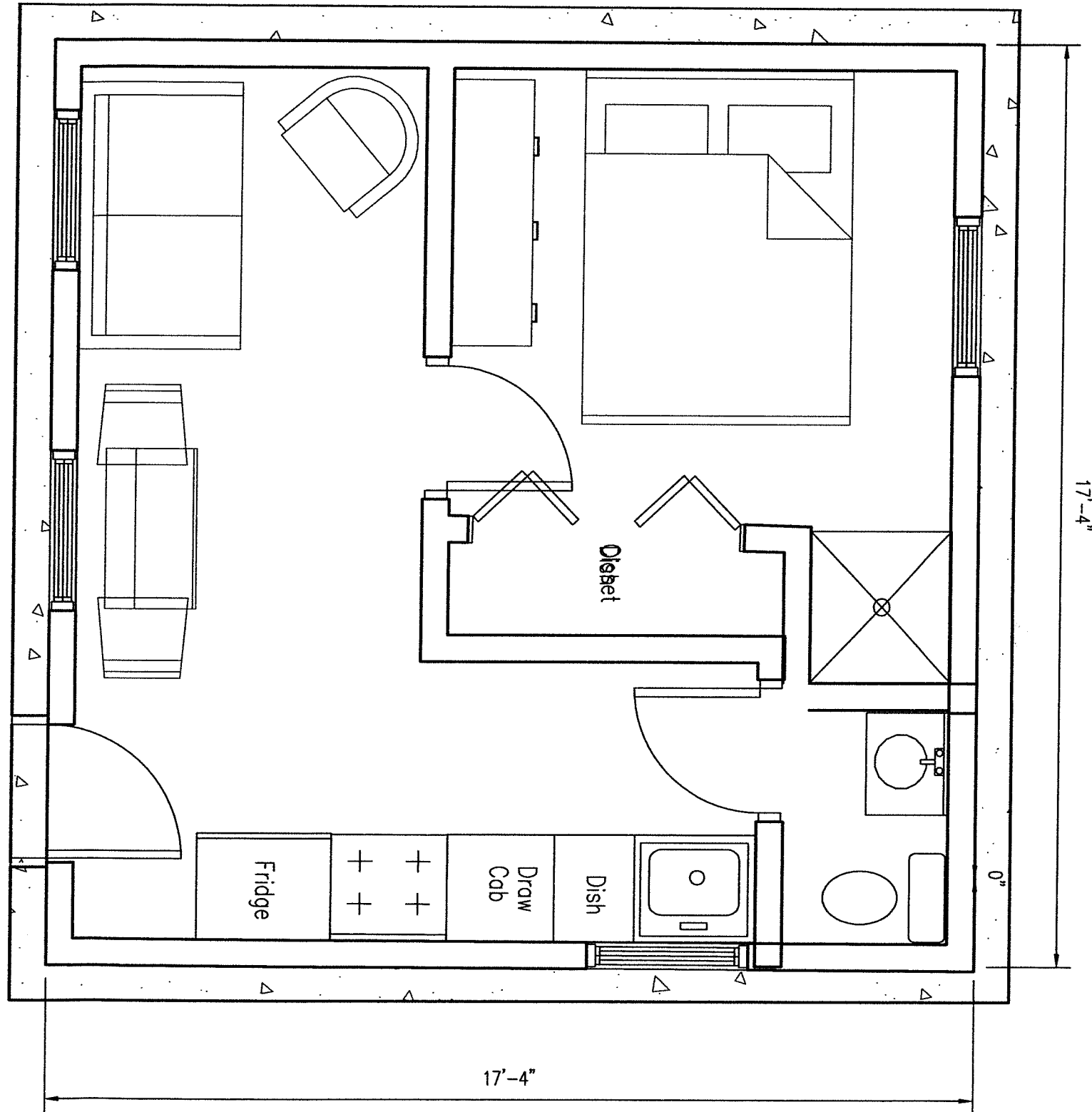
DATE: MAY 24, 2022 SCALE: 10 INCH = 100 FEET

FILED:	LM
DEPT:	LM
CHECK:	EC
DATE:	07/24/72





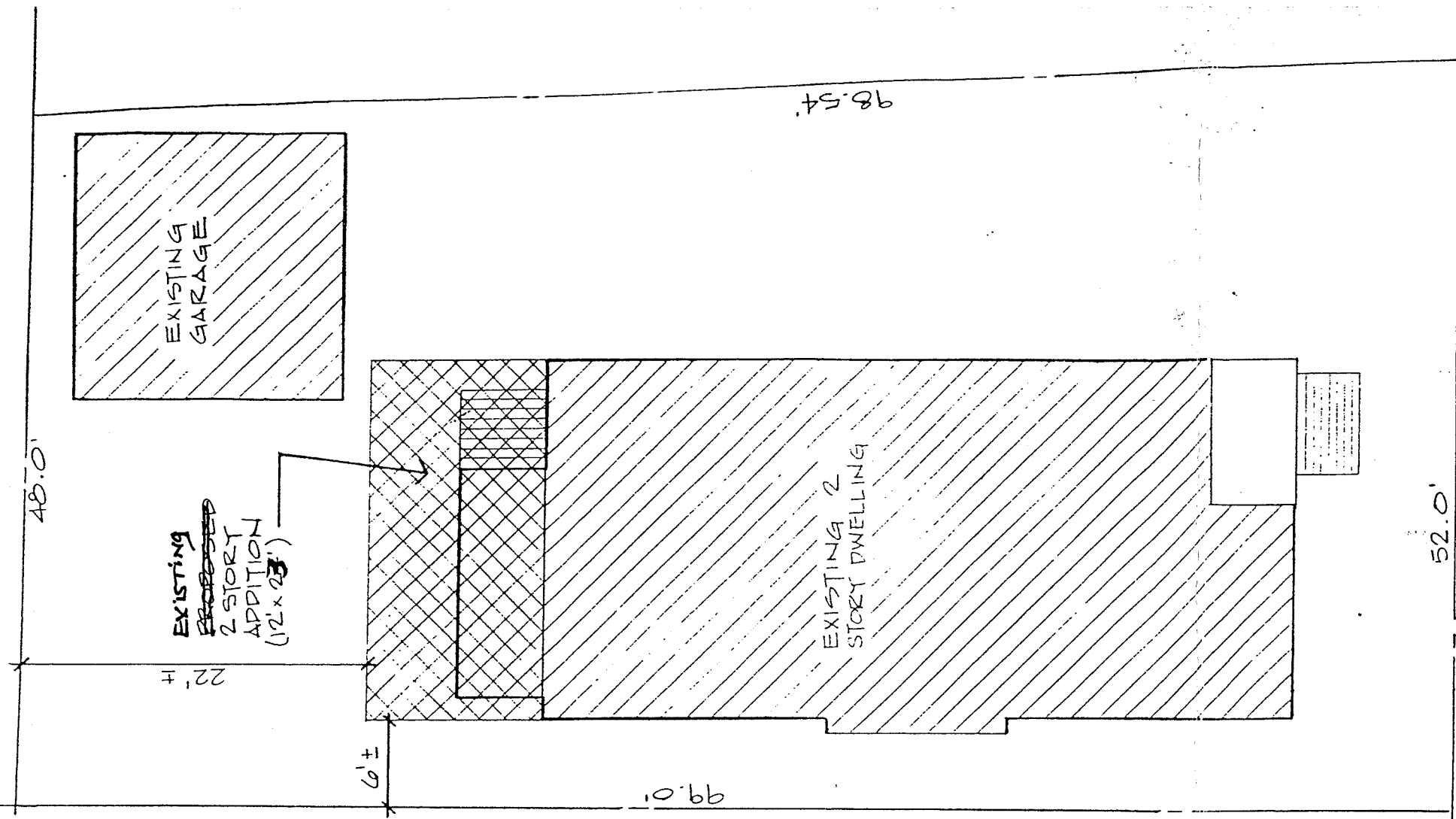
TOTAL FINISHED AREA 300sf



SITE DATA

ZONING	R2	SQ. FT.
LOT SIZE	60'	
FRONTAGE	60'	
LOT COVERAGE	35%	
DETBACHS		
FRONT	20'	
SIDE	10'	
REAR	20'	
MAX. STORIES	2½	
MAX. HEIGHT	35'	

LOT 13



WINTER

STREET

SITE PLAN

SCALE 1" = 10'

SURVEY DATA REGARDING BOUNDARY LINES AND LOCATION(S) OF EXISTING STRUCTURE(S) ON THE SITE WAS TAKEN FROM PLAN ENTITLED: MORTGAGE SURVEY PLAN, PREPARED BY FREDERICK R. JOYCE, CO. SURVEYORS, BELMONT MA.-DATED 7.28.85

LOT 10
4,950± s.f.

1 STORY BLOCK GARAGE
FF = 29.1

2ND STORY OVERHANG

1ST FLOOR DECK

DRIVEWAY

OVERHANG

No. 80-82
2 1/2 STORY
W/F
FF = 32.5
PEAK = 59.9

No. 80 BROADWAY
N/F
BROADWAY REALTY TRUST
BK 19010; PG 361

82 WINTER ST

BENCHMARK:
MAG SET IN UTILITY POLE
ELEV = 28.33 (NAVD88)

CHAINLINK FENCE

CONC. WALK

19 of 35

X27.50





TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Kelly Lynema, Acting Director, Dept. of Planning and Community Development
Marisa Lau, Senior Planner
Date: 9/9/2022
RE: Docket 3713 – 82 Winter Street; Special Permit under Section 8.1.3(E) (Nonconforming Single-Family or Two-Family Dwellings)

The applicant, James Boyle, seeks a Special Permit in accordance with Section 8.1.3(E) (Nonconforming Single-Family or Two-Family Dwellings) of the Zoning Bylaw. The applicant seeks to create an accessory dwelling unit (ADU) in the rear yard setback of their two-family home. The proposal would add 306 square feet of gross floor area within an existing accessory garage.

The existing structures on the property, which is in the R2 Zoning District, are nonconforming with the Zoning Bylaw's lot size; frontage; front and left side yard; and usable open space requirements. Because the accessory building is located within six feet of the right and rear lot lines, under Sections 5.9.2.B(1) and 8.1.3(E) of the Zoning Bylaw, the Board may grant a Special Permit provided it finds that the creation of the ADU is not substantially more detrimental to the neighborhood than the use of the accessory building as a private garage or other allowed use. The applicant is not increasing the footprint or height of the existing structures. The proposal would not increase any of the existing nonconformities on the property.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted through a Special Permit in the R2 zoning district since the existing accessory structure is located less than six feet from the property line.

Criterion #2: Public Convenience/Welfare

This proposal would provide an ADU to allow the owners to age in place.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

If granted a Special Permit, this proposal would meet the required conditions for ADUs in Section 5.9.2.B(1) of the Zoning Bylaw:

- The floor area of the proposed ADU is less than the maximum floor area requirement;
- Due to its proposed size, the ADU is not a large addition and therefore is not subject to Section 5.4.2.B(6);
- The ADU would have its own separate entrance;
- This would be the first ADU established on this property (a maximum of two would be allowed on this property);
- ADU are allowed in accessory buildings, in this case subject to the granting of a special permit due to the existing setbacks of the accessory building;
- The ADU would not be used as a short-term rental; and
- The ADU is subject to State Building Code and State Fire Code.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

While the accessory building is located less than six (6) feet from the abutting properties, the proposal to create an ADU is not substantially more detrimental to the neighborhood than the existing use as a garage or other allowed uses. The property abuts the B4 Zoning District (Vehicular Oriented Business) to the north and is across from apartments in the R5 Zoning District. Additionally, three-family homes are located in the R3 Zoning District to the northeast of the property.

The accessory building is located entirely in the rear yard of the property. The façade improvements are designed to complement the style of the primary dwelling and adjacent homes in the neighborhood. Additional window details and a new egress improve the compatibility of the structure with the surrounding neighborhood.¹ Staff note the proposed elevation and plans are not consistent, however. Overall, this proposal would not detrimentally impact the neighborhood character of the district or adjoining districts, nor will it be detrimental to the health, morals, or welfare of the neighbors of the property.

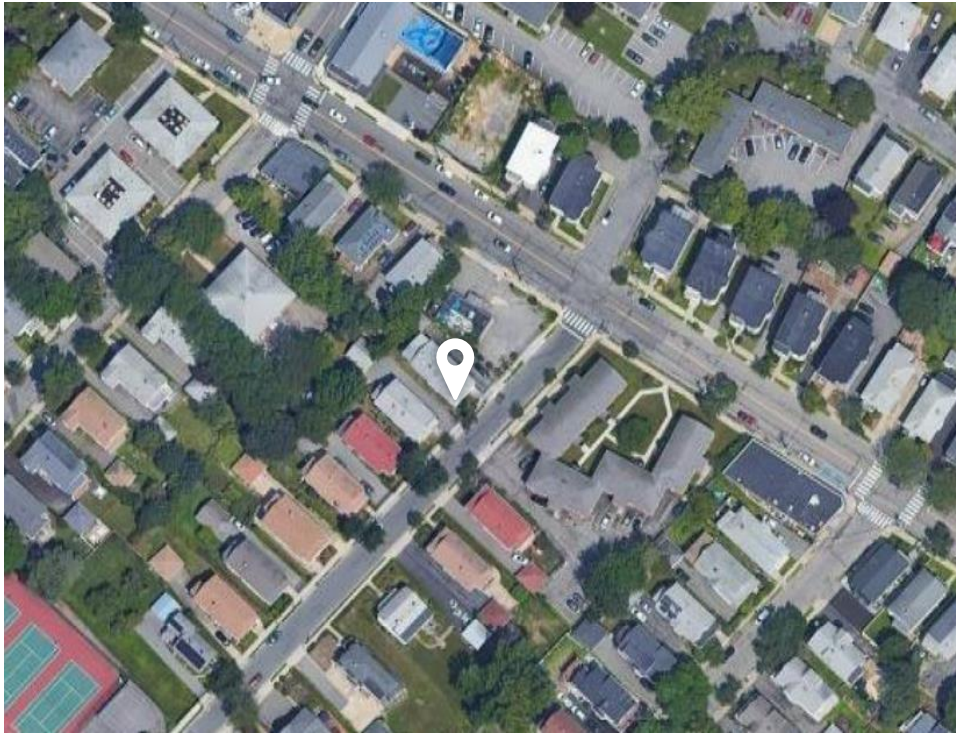
Criterion #7: Detrimental Excess in Particular Use

There would not be any detrimental excesses.

Below are aerial and street-based photos of the current building:

¹ Residential Design Guidelines, Principles B-1 and C-1.

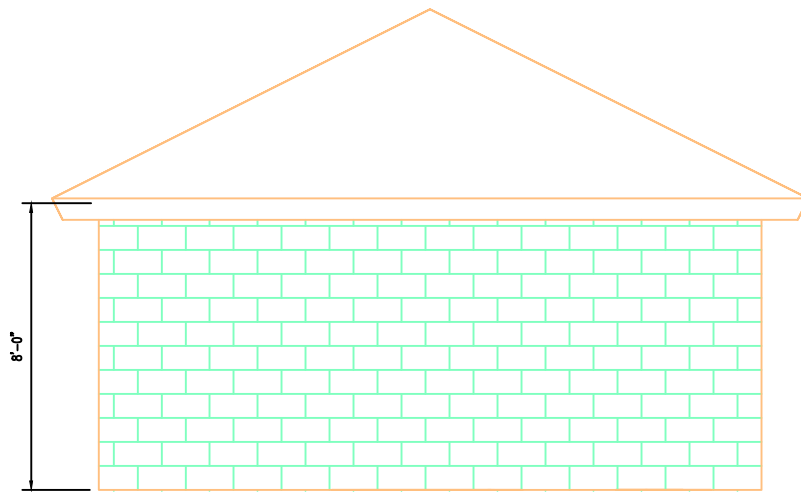
<https://www.arlingtonma.gov/home/showpublisheddocument?id=54518>



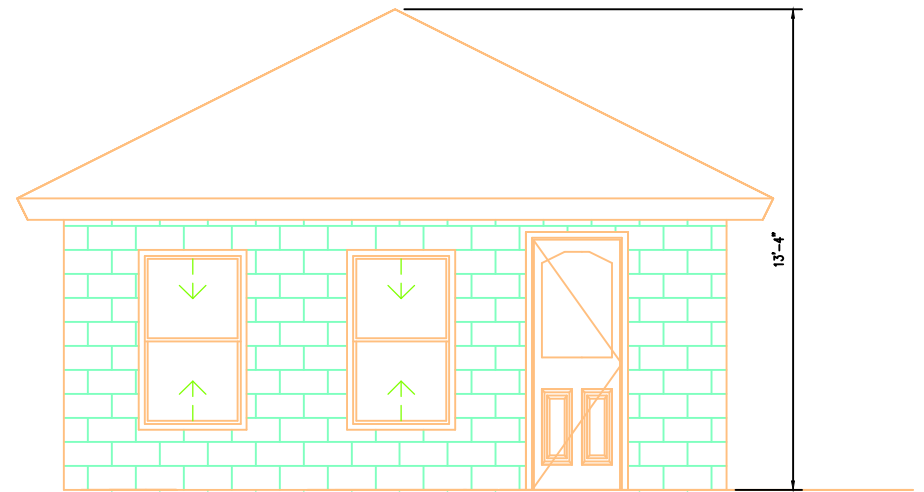


Summary of Analysis:

The Department of Planning and Community Development (DPCD) maintains that this proposal is consistent with the Special Permit criteria in Section 3.3.3, A through G, of the Zoning Bylaw.

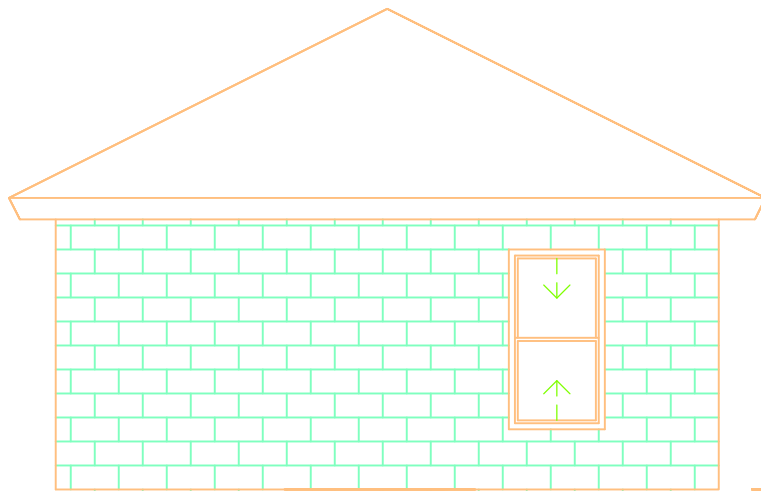


LEFT VIEW



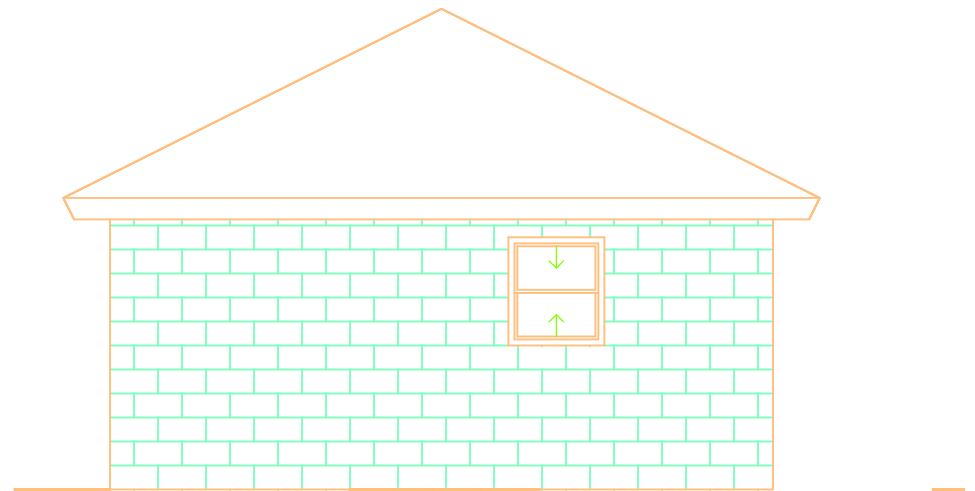
FRONT VIEW

James Boyle

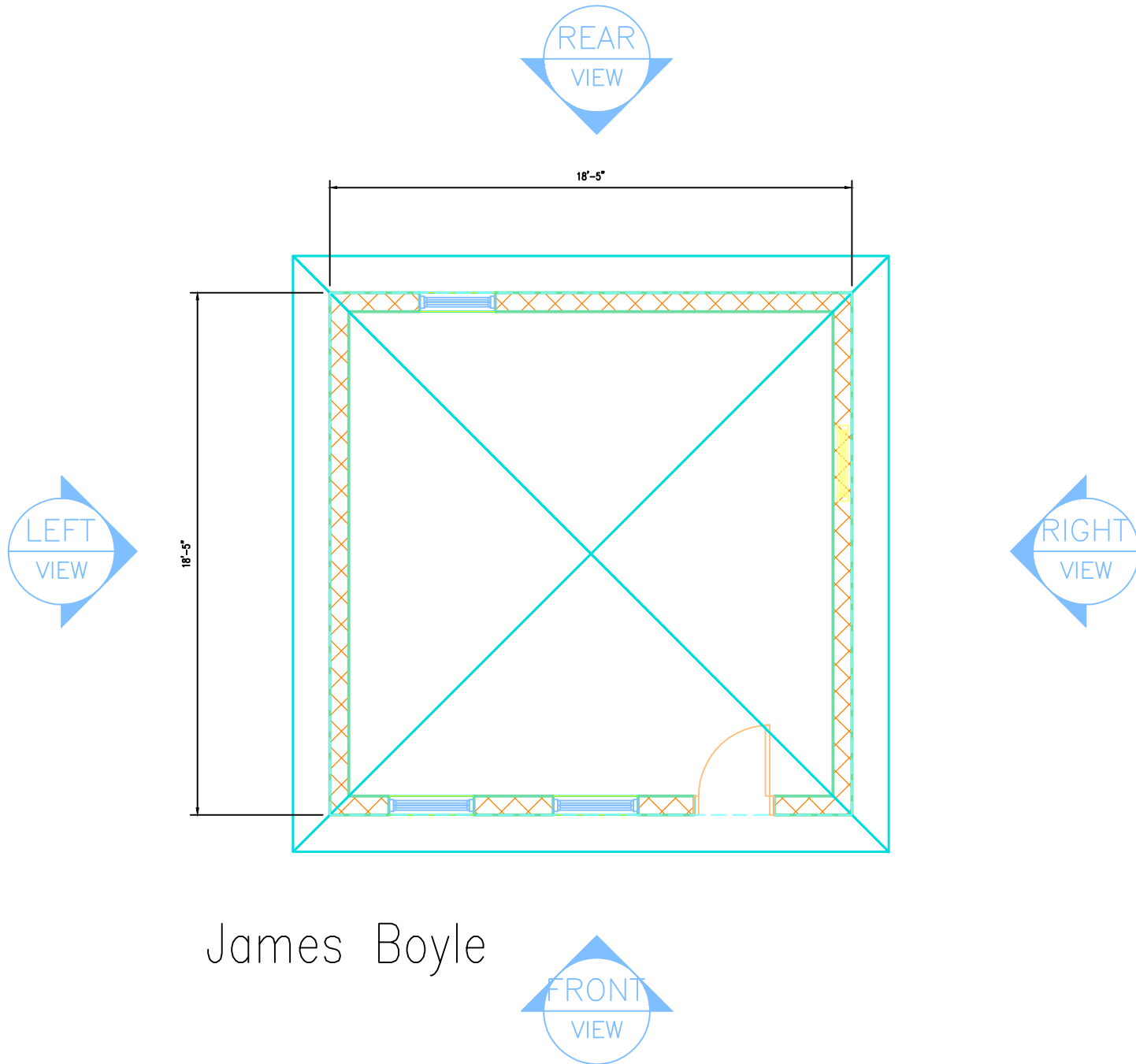


REAR VIEW

James Boyle



RIGHT VIEW





Town of Arlington, Massachusetts

Docket # 3714: 956 Massachusetts Avenue

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__956_Mass_Avenue.pdf	ZBA Package, 956 Mass Avenue



TOWN CLERK'S OFFICE
ARLINGTON, MA 02178
2022 AUG -8 AM 8:47

RECEIVED

Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Astound Broadband** of Tewksbury, Massachusetts on August 1, 2022, a petition seeking permission to alter their property located at **956 Massachusetts Avenue - Block Plan 127.0-0002-0003.0** Said petition would require a Special Permit under **6.2 Signs** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening September 13, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20qtIBP9 **for documentation relating to this petition, visit the ZBA website 48 hours prior to the hearing at www.arlington.gov/zba.**

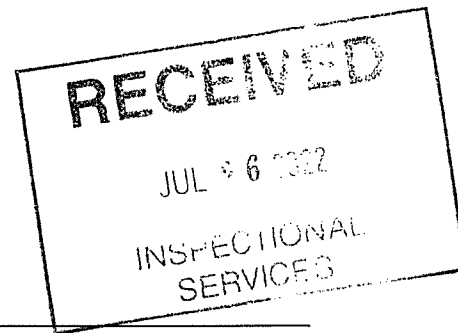
DOCKET NO 3714

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON



In the matter of the Application of Astound Broadband

to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Zoning Bylaw Section G-34/Standards Line (10) wall sign standards only allowing one wall sign
per frontage.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at
956 Massachusetts Ave with respect to such relief is sought; that no unfavorable action
has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within
the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full
compliance with any and all conditions and qualifications imposed upon this permission, whether by
the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant
represents that the grounds for the relief sought are as follows:

Replacement of two existing wall signs with new branding logo signs.

One sign facing Massachusetts Ave building approach.

One sign facing Massachusetts Ave @ Coleman Pond approach.

E-Mail: johnp@metrosign.net Signed: Date: 07/21/2022

Telephone: 978-851-2424 Address: 170 Lorum St, Tewksbury, MA 01876

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

Replace existing wall signs, with new corporate rebranding. The business has changed within the

presmises.

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

Both signs mounted on building surface as per existing will not create traffic congestion or affect

pedestrian safety.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

N/A

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 956 Massachusetts Ave Zoning District: B-4
2. Present Use/Occupancy: Commercial No. of dwelling units _____
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
_____ Sq. Ft.
4. Proposed Use/Occupancy: _____ No. of dwelling units _____
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
_____ Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)			min.
7. Frontage (Ft.)			min.
8. Floor area ratio			max.
9. Lot Coverage (%)			max
10. Lot Area per Dwelling Unit (Sq. Ft.)			min.
11. Front Yard Depth (Ft.)			min.
12. Left Side Yard Depth (Ft.)			min.
13. Right Side Yard Depth (Ft.)			min.
14. Rear Yard Depth (Ft.)			min.
15. Height (Stories)			max.
16. Height (Ft.)			max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
17A. Landscaped Open Space (% of GFA)			min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
18A. Usable Open Space (% of GFA)			min.
19. Number of Parking Spaces			min.
20. Parking area setbacks (if applicable)			min.
21. Number of Loading Spaces (if applicable)			min.
22. Type of construction			N/A
23. Slope of proposed roof(s) (in. per ft.)			min.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

N/A

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

N/A

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

N/A

CHANNEL LETTER
SET W/ BACKER

Location 1 & 3

Qty: 2

Faces

3/16" Acrylic (white) with
translucent vinyl overlays
(dark blue & lime green)

Trim 1" White

Returns

3" deep .040" aluminum painted
(dark blue & lime green)

Backer

1/8" Aluminum contour cut into
custome shape, painted (white)

Install

Channel letters mounted backer
are to be flush mounted to exterior
wall w/ studs and silicon (as shown)

ELECTRICAL

There is existing electrical in all
3 locs to hook up new signage

VINYL COLORS

- 3M Trans #87- Royal Blue
- 3M Trans #136- Lime Green

PAINT COLORS

- PMS #361C (Lime Green)
- PMS #2685C (Dark Blue)
- Finish (Satin)

Sign Sq Ftg: 30

Fonts: N/A

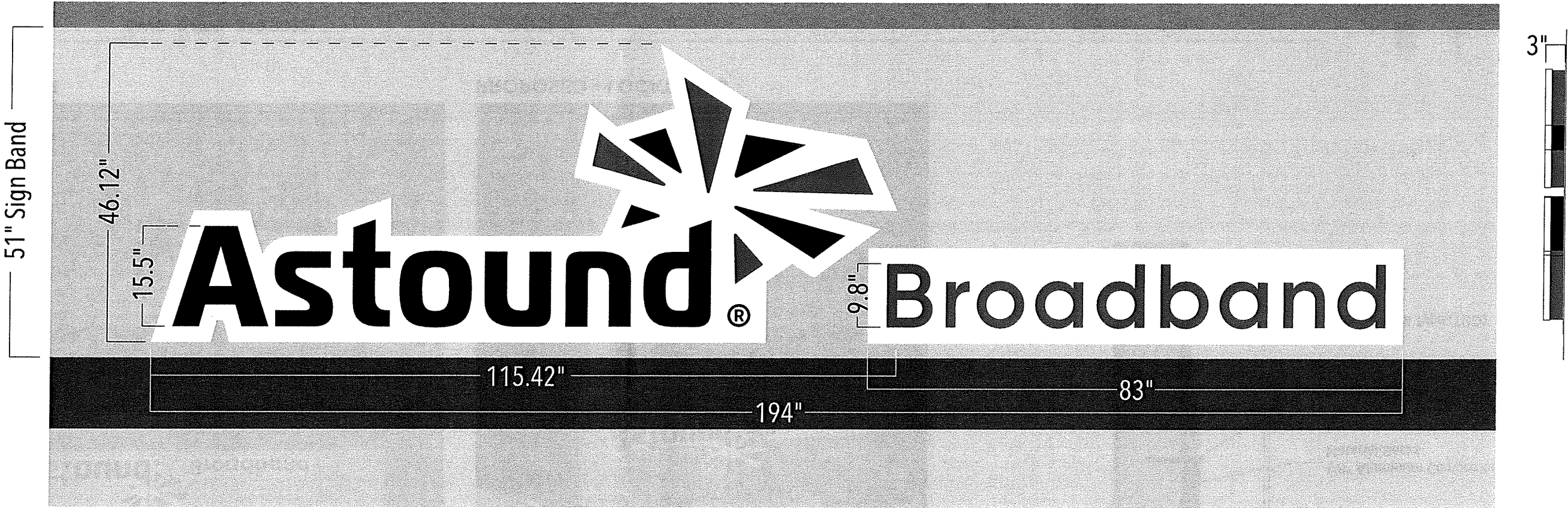
Work Order:

Customer/Job Location:

ASTOUND
956 Mass Ave • Arlington, MA

This design drawing is copyrighted:© 2022 Metro Sign & Awning, Inc. No part of this drawing may be reproduced, copied or exhibited in any fashion without written consent from Metro Sign & Awning, Inc.

SEE NEXT PAGE FOR MOCKUPS AND DETAILS

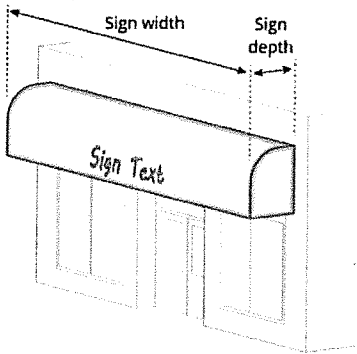


6-22 / STANDARDS

- Signs on Illuminated Surfaces. Sign copy mounted, affixed, or painted on an illuminated surface or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element, which contains sign copy. Such elements may include lit canopy fascia signs, and/or interior lit awnings.
- Irregular Shaped Signs. Sign area for irregular shaped signs is determined by dividing the sign into squares, rectangles, triangles, circles, arcs, or other shapes the area of which is easily calculated.

Sign Area for Signs on Illuminated Surfaces

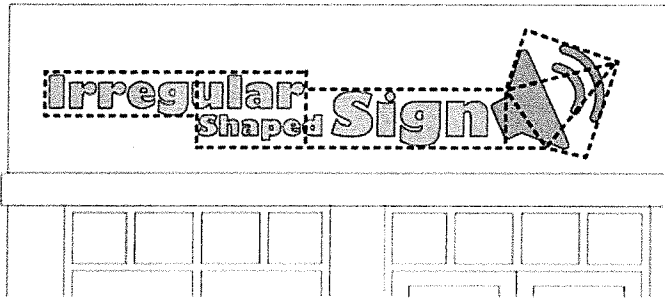
(See Section 6.2.4(B)(1))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

Sign Area for Irregular Shaped Signs

(See Section 6.2.4(B)(1))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

Town of Arlington Zoning Bylaw

DWG. DATE: 3.10.2022

Rev.1 6.6.22 Removed location 2
Rev.2
Rev.3
Rev.4
Rev.5
Rev.6

APPROVAL

☐ APPROVED ☐ APPROVED AS NOTED

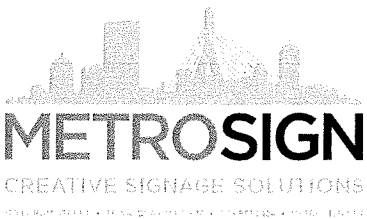
Date _____ X _____

File Name: Astound_956 Mass Ave_Arlington_3824.fs

34 of 35

Sales: PD
Design: DM
PMgr: PD

Drawing # 22-03824-1r1

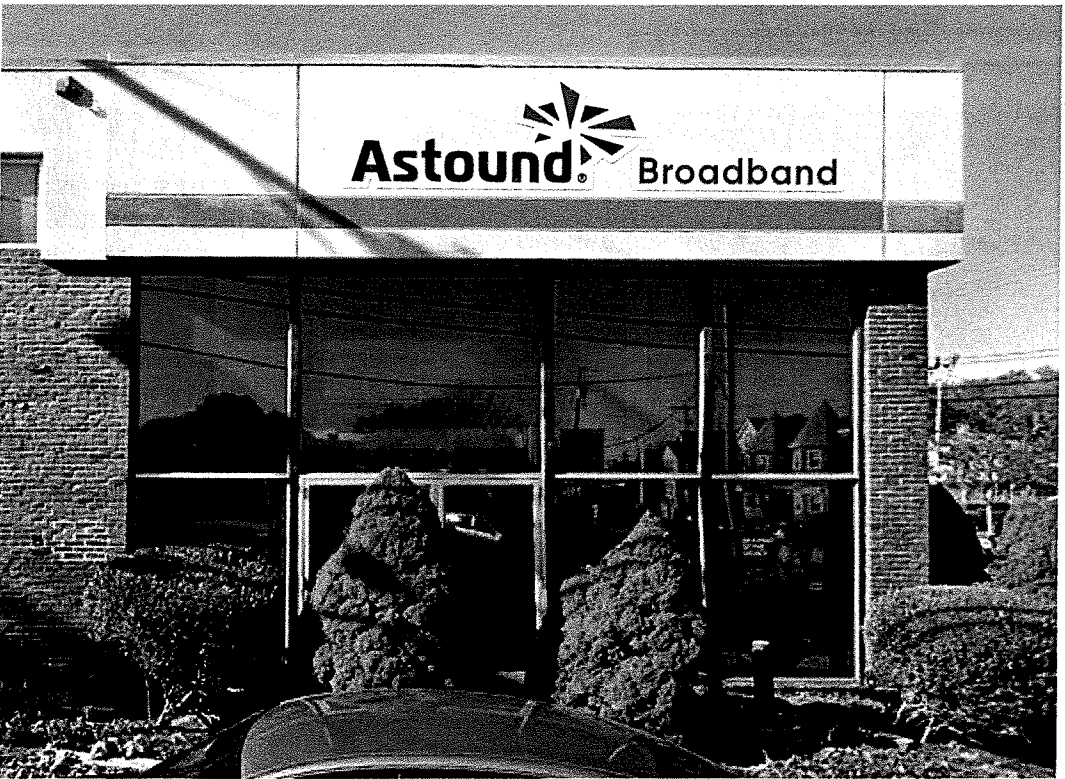




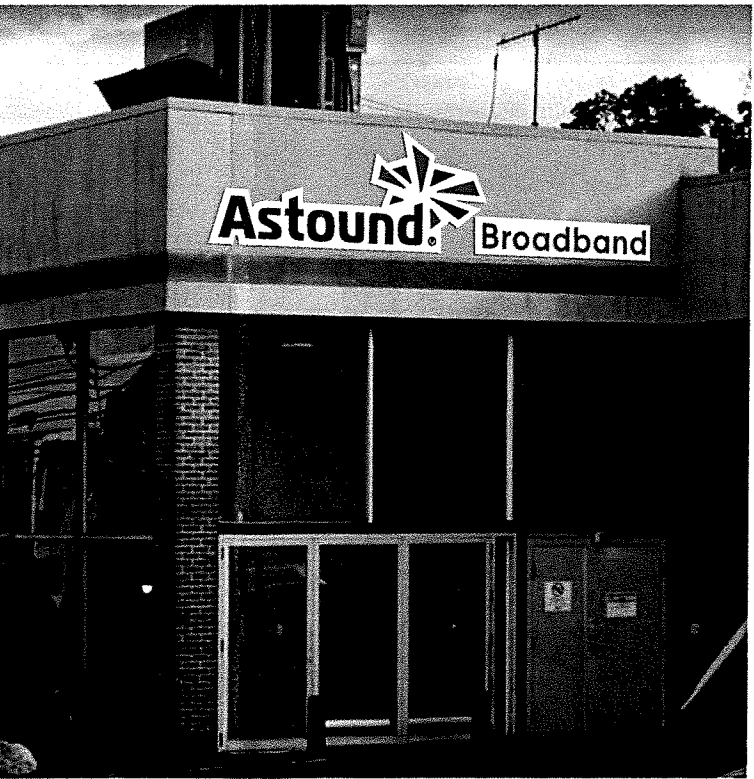
EXISTING - LOCATION 1



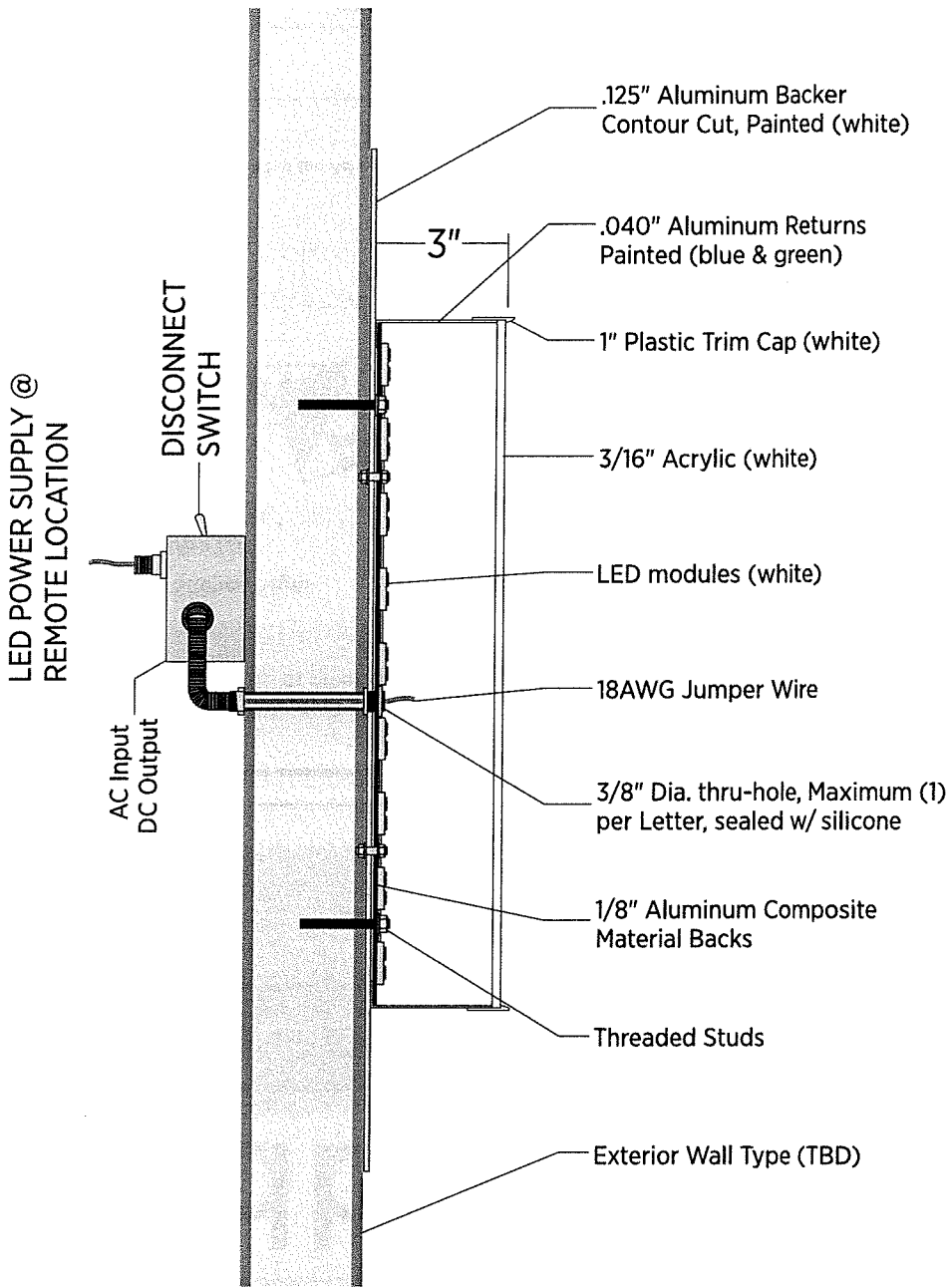
EXISTING - LOCATION 3



PROPOSED - LOCATION 1



PROPOSED - LOCATION 3



Customer/Job Location:

ASTOUND
956 Mass Ave • Arlington, MA

DWG. DATE: 3.10.2022

Rev.1: Rev.4:
Rev.2: Rev.5:
Rev.3: Rev.6:

APPROVAL ☐ APPROVED ☐ APPROVED AS NOTED

Date _____ X _____

35 of 35 File Name: Astound_956 Mass Ave_Arlington_3824.fs

Sales: PD Design: DM PMgr: PD

Drawing # **22-03824-1.1**

